

REMARKS

In accordance with the foregoing, the specification and claims 2-8 are amended, claims 1 and 9 are canceled without prejudice and new claims 10-13 are added. Claims 2-13 are pending and under consideration.

I. Rejection for Non-Statutory Double Patenting

Claims 1-9 were rejected for non-statutory double patenting in light of US patent number 6,564,244 B1 to Ito et al. (herein "Ito"). This rejection is respectfully traversed.

New independent claim 10 corresponds to canceled independent claim 1, and is written to correct minor informalities and better conform to standard claim drafting practice. New claim 10 recites "displaying on the user terminal a list of the selectable user statuses for the virtual space based on the read-out user-status-selection table," support for which is found in the originally filed specification at least at page 9, lines 9-11. New independent claim 11 (which corresponds to canceled independent claim 9 written to better conform to standard claim drafting practice) includes similar features, and claims 2-8 are amended to depend on new claim 10.

In contrast, the independent claims of Ito discuss monitoring the status of a chat client and informing a user of a change to the status when the network having the change in status meets a chat network search preference. The "chat network search preference" of Ito relates to searching of chat networks, but does not relate to "user-status-selection tables," as recited in pending independent claims 10 and 11. Moreover, Ito does not discuss or suggest "displaying on the user terminal a list of the selectable user statuses for the virtual space," as in pending independent claims 10 and 11.

Further, in a non-limiting example of the present application, a user terminal can obtain a user-status-selection table listing the available statuses which can be set for the user terminal when the user terminal participates in a virtual space. When the user selects one of the available statuses from the user-status-selection table, other users may be notified of the selected status. This is different from a search preference registered by a user in advance, as discussed in Ito.

Accordingly, it is respectfully submitted independent claims 10 and 11 and each of the claims depending therefrom patentably differ from the claims of Ito, and it is respectfully requested this rejection be withdrawn.

II. Rejection under 35 USC § 103

Claims 1-9 were rejected under 35 USC § 103(a) as unpatentable over US patent number 5,995,096 to Kitahara et al. (herein "Kitahara") and US patent number 6,577,328 B2 to Matsuda et al. (herein "Matsuda"). This rejection is respectfully traversed.

Independent claim 10 (which corresponds to canceled claim 1) recites "displaying on the user terminal a list of the selectable user statuses for the virtual space based on the read-out user-status-selection table." New claim 11 (which corresponds to canceled claim 9) includes similar features.

In a non-limiting example, when a user terminal participates in a virtual space, the user terminal reads out a user-status-selection table listing the available statuses which can be set for the user terminal in the virtual space. Each virtual space has a corresponding user-status-selection table in which a list of selectable user statuses is registered. As an advantage, when the user selects one of the statuses from the user-status-selection table, other users may be notified of the selected status, and the list of selectable user statuses may vary among the virtual spaces as appropriate.

As acknowledged at page 5 of the outstanding Office Action, Kitahara does not discuss a status table including configurable user statuses. Moreover, Matsuda at col. 18, lines 28-54 only discusses a "communication table" and "growth control table" having parameters to control an owner of a "virtual life object", a way to transmit messages, and address of the owner an a growth of the "virtual life object."

However, the "virtual life object" discussed in Matsuda is different from a user terminal, as in the pending claims, and Matsuda also does not discuss or suggest a list of selectable user statuses. Rather, the "communication table" and "growth control table" of Matsuda only relate to a virtual life object, which is discussed as a virtual pet or virtual creature. Matsuda also does not discuss or suggest registering a list of selectable user statuses for each of a plurality of virtual spaces, as in independent claims 10 and 11.

Accordingly, it is respectfully submitted independent claims 10 and 11 and each of the claims depending therefrom patentable distinguish over Kitahara and Matsuda.

Moreover, it is respectfully submitted Kitahara and Matsuda cannot be combined in the manner suggested in the outstanding Office Action because there is no motivation to combine Kitahara and Matsuda.

First, Matsuda only discusses an entertainment system including a “virtual life object,” similar to a virtual pet kept on a personal computer, in which a message is sent to “a user of each of the client PCs who is the keeper of the virtual life object” (see the Abstract of Matsuda). In contrast, Kitahara discusses a business teleconferencing system including a shared visual interface. Kitahara discusses real-time collaboration between participants, while Matsuda only discusses a single user who is a keeper of a virtual life object. Accordingly, Kitahara teaches away from Matsuda, and there is no motivation for a person having ordinary skill in business teleconferencing systems to look to an entertainment system including a virtual life object.

Therefore, it is respectfully submitted the combination of Kitahara and Matsuda is improper, and it is respectfully requested this rejection be withdrawn.

III. New Claims 12 and 13

In addition, new claims 12 and 13 are added to set forth the invention in a varying scope. New claim 12 includes similar features to claim 11, but is written not to be interpreted under 35 USC § 112, sixth paragraph. Also, new claim 13 depends on new claim 12 and recites “the user status includes a string of characters entered by the user,” support for which is found in the originally filed specification at least at page 5, line 19 to page 6, line 8.

Accordingly, it is respectfully submitted new claims 12 and 13 are allowable at least for similar reasons as independent claim 11.

IV. Claim to Priority

It is respectfully requested the claim to priority and receipt of the certified copy of the priority document filed November 29, 2000 be acknowledged in the next Office Communication.

V. Conclusion

Consequently, in light of the above discussion and in view of the present amendment, this application is believed to be in condition for allowance and an early and favorable action to that effect is respectfully requested.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: June 2, 2004

By: Ryan Rafferty
Ryan Rafferty
Registration No. 55,556

1201 New York Avenue, NW, Suite 700
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501

CERTIFICATE UNDER 37 CFR 1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on June 2, 2004

STAAS & HALSEY

By Ryan Rafferty
Date: 6/2/2004